

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

HEATHER L. MARKLE, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 07-0018-CV-W-DW
)	
C.H. ROBINSON WORLDWIDE, INC.,)	
)	
Defendant.)	

ORDER

Before the Court is Plaintiff’s Motion to Re-Transfer (Doc. 15). Plaintiffs seek to “re-transfer” this case to the District Minnesota. Defendant opposes the motion and seeks transfer of the case to the Eastern District of Missouri. For the following reasons, Plaintiffs’ motion is denied and Defendant’s motion is granted.

This action was originally filed in the Northern District of Illinois. The action arises under the Fair Labor Standards Act and is brought by former employees of Defendant’s branch office in St. Louis, Missouri. On December 15, 2006, Judge Ruben Castillo of the United States District Court for the Northern District of Illinois transferred this case to the Western District of Missouri based on the belief that “all Plaintiffs were employed” in the Western District of Missouri. Both parties agree that the Plaintiffs were, in fact, employed in the Eastern District of Missouri.

The Court finds that transfer to the Eastern District of Missouri is appropriate in light of Judge Castillo’s initial transfer Order. Furthermore, the Court finds that transfer is appropriate under 28 U.S.C. § 1404(a) (authorizing transfer “for the convenience of the parties and witnesses” and when it is “in the interest of justice”). Here, Plaintiffs worked for Defendant in

the Eastern District of Missouri, the at-issue employment actions were made in the Eastern District of Missouri, and the key witnesses live or work in the Eastern District of Missouri. In sum, this controversy is centered in the Eastern District of Missouri.

Accordingly, the Court DENIES Plaintiff's Motion to Re-transfer (Doc. 15) and GRANTS Defendant's Alternative Motion to Retransfer this Case to the Eastern District of Missouri (Doc. 18). Pursuant to 28 U.S.C. §§ 1404 and 1406, this case shall be transferred to the Eastern District of Missouri.

Date: February 26, 2007

/s/ DEAN WHIPPLE
Dean Whipple
United States District Court